

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ROBERT D. MAWHINEY,)	
)	
Plaintiff,)	8:05CV466
)	
v.)	
)	
WARREN DISTRIBUTION, INC.,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on Defendant's Motion to Strike and Substitute Defendant's Answer and Affirmative Defenses (Filing No. 32). Defendant seeks to have stricken the previously filed Answer and Affirmative Defenses as incomplete because Exhibit A to the pleading was inadvertently omitted. Additionally, Defendant seeks to substitute its earlier filed but incomplete Answer and Affirmative Defenses with a complete version. Defendant attached to its motion a copy of its complete Answer and Affirmative Defenses, including Exhibit A. Upon consideration:

IT IS ORDERED:

1. Defendant's Motion to Strike and Substitute Defendant's Answer and Affirmative Defenses (Filing No. 32) is granted.
2. The earlier filed Answer and Affirmative Defenses will be substituted by the complete Answer and Affirmative Defenses, with Exhibit A, attached to Defendant's motion.

DATED this 31st day of May, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge